

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION

MELINDA A. BROWN,

Plaintiff,

v.

SOCIAL SECURITY
ADMINISTRATION, Commissioner,

Defendant.

Case No. 3:16-cv-01829-MHH

MEMORANDUM OPINION

On April 5, 2017, the magistrate judge issued a report in which he recommended that the Court dismiss this action without prejudice for want of prosecution. (Doc. 11). The magistrate judge advised the parties of their right to file objections within fourteen (14) days. (Doc. 11, pp. 3-4). To date, neither party has filed objections.

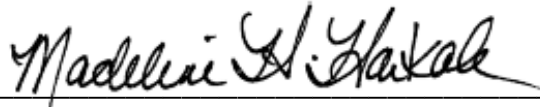
A district court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court reviews legal conclusions in a report de novo and reviews for plain error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d

776, 779 n. 9 (11th Cir. 1993); *see also* *LoConte v. Dugger*, 847 F.2d 745, 749 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006).¹

The Court has reviewed the relevant materials in the record. The Court finds no misstatements of law in the magistrate judge's report and no plain error in the magistrate judge's description of the relevant facts. Therefore, the Court adopts the magistrate judge's report and accepts his recommendation to dismiss this action for want of prosecution.

The Court will enter a separate final order dismissing this action without prejudice.

DONE and **ORDERED** this April 28, 2017.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE

¹ When a party objects to a report in which a magistrate judge recommends dismissal of the action, a district court must “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. §§ 636(b)(1)(B)-(C).